

AO 91 (Rev. 02/09) Criminal Complaint

**Felony****UNITED STATES DISTRICT COURT**for the  
Southern District of TexasUnited States Courts  
Southern District of Texas

FILED

April 12, 2023

Nathan Ochsner, Clerk of Court

United States of America  
v.Case No. **1:23-MJ-319**Juan Fidel CASTRO  
Erika Noemi HERNANDEZ*Defendant***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of April 11, 2023 in the county of Cameron in the Southern District of  
Texas, the defendant violated 18 U.S.C. § 554,

an offense described as follows:

knowingly exports or sends from the United States, or attempts to export or send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.**ELI ROCHA JR**Digitally signed by ELI ROCHA JR  
Date: 2023.04.12 00:11:18 -05'00'*Complainant's signature*Eli Rocha, Special Agent  
Homeland Security Investigations*Printed name and title*

Submitted by reliable electronic means, sworn to, and signature attested to telephonically pursuant to Fed.R.Crim.4.1 on April 12, 2023.

Date: April 12, 2023City and state: Brownsville, Texas*Judge's signature*Ignacio Torteya III, U.S. Magistrate Judge*Printed name and title*

Attachment A

On April 11, 2023, United States Customs and Border Protection Officers (CBPOs) at the B&M Port of Entry in Brownsville, TX, selected a maroon Chevrolet Trailblazer displaying Mexican license plates [REDACTED] for an outbound inspection. CBPOs identified the driver, Juan Fidel CASTRO D.O.B. [REDACTED] 1977, a United States Citizen, and received a negative declaration for firearms, ammunition, and currency in excess of \$10,000. CASTRO and a female passenger identified as Erika Noemi HERNANDEZ D.O.B. [REDACTED] 1980 were escorted to secondary inspection.

A Canine Enforcement Officer conducted a search on the vehicle utilizing his Currency/Firearms Detection Dog which yielded a positive alert to the driver seat.

CBPOs inspected the driver seat and found it to contain two (2) Glock 19 .9mm firearms under the foam seat cushion. Each firearm contained a magazine inside with no ammunition.

HERNANDEZ was escorted into a detention cell for a pat down. HERNANDEZ was advised of the pat down and she freely admitted she was hiding magazines in her bra area. A total of four (4) magazines were located tucked in her bra area.

A total of two Glock 19 .9mm firearms with serial # [REDACTED] and [REDACTED], along with six (6) .9mm magazines were seized from CASTRO and HERNANDEZ.

During a post Miranda interview, CASTRO admitted to concealing the firearms in the driver seat. CASTRO further stated he was given money from a subject in Mexico to purchase the firearms and deliver them in Mexico. CASTRO utilized HERNANDEZ to make the purchase of the firearms and conceal the magazines as they attempted to export them.

During a post Miranda interview, HERNANDEZ stated she was asked by CASTRO to purchase the weapons for him in exchange for payment. HERNANDEZ stated she purchased the two firearms on this date knowing they were to be exported into Mexico. HERNANDEZ stated she purchased two more firearms yesterday on 04/10/2023 and illegally exported them with CASTRO into Mexico.

Both HERNANDEZ and CASTRO stated they knew the export of the firearms was illegal and they did not have a license to export firearms into Mexico. They both stated they have not applied for a license to export firearms into Mexico.

Digitally signed by ELI ROCHA  
JR  
Date: 2023.04.12 00:12:19  
-05'00'  
\_\_\_\_\_  
Eli Rocha, Special Agent  
Homeland Security Investigations

Submitted by reliable electronic means, sworn to, and signature attested to telephonically pursuant to Fed.R.Crim.4.1 on April 12, 2023.

\_\_\_\_\_  
Ignacio Torteya, III  
United States Magistrate Judge